

FIFTIETH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Stanley J.A. McNery, McMinnville, Tennessee.

Representative Hillis led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 92

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--92.

The Speaker announced that Representative Frensey was excused because of illness.

CORRECTION TO JOURNAL

On March 5, 1984 (page 1953), House Bill No. 1443 was in error referred to the Committee on General Welfare.

House Bill No. 1443 was referred to the Committee on Conservation and Environment.

Mr. Copeland moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 315 out of order, which motion prevailed.

House Joint Resolution No. 315--Relative to joint convention, filling vacancy, state election commission--By Copeland.

Mr. Copeland moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 315, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 315; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 136, 157 and 1400; House Resolution No. 99; and House Joint Resolutions Nos. 270, 278, 279, 280, 281, 283, 284, 285, 290, 291, 310 and 312; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 136, 157 and 1400; House Resolution No. 99; House Joint Resolutions Nos. 270, 278, 279, 280, 281, 283, 284, 285, 290, 291, 310 and 312.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint

Resolutions Nos. 299 and 310; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 310, for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 140, 146, 151 and 152; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 96, 1238, 1348, 1354 and 1355; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 96, 1238, 1348, 1354 and 1355; Senate Joint Resolutions Nos. 140, 146, 151 and 152.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1357, 1361, 1386, 1389, 1390, 1403, 1431, 1497 and 1613; and House Joint Resolution No. 299; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

Mr. McKinney moved that the rules be suspended for the purpose of

introducing House Joint Resolution No. 326 out of order, which motion prevailed.

House Joint Resolution No. 326--Relative to supporting efforts of TVA, Hartsville project--By McKinney.

Mr. McKinney moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 326, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

CALENDAR

Mr. Starnes moved that House Bill No. 171 be placed on the Calendar for tomorrow, which motion prevailed.

House Bill No. 33--To enact Equal Access to Justice Act.

Mr. Murphy moved that House Bill No. 33 be passed on third and final consideration.

Mr. King (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 33 by deleting all sections following the enactment clause and by substituting in lieu thereof the following:

SECTION 1. This Act shall be known and may be cited as "The Equal Access to Justice Act of 1984".

SECTION 2. There are occasions when inequities exist between government and small business in terms of the ability with which each is able, without economic hardship, to be properly represented in administrative proceedings and in the courts. As part of the General Assembly's continuing efforts to assure fairness and equity to all the citizens of this state, it is the intent of this Act to offer small business an opportunity for adequate representation in any administrative hearing involving the operation of such business and, where necessary, in the resulting appeal process.

SECTION 3. Definitions. As used in this Act the following terms shall be defined as follows, unless the context clearly requires otherwise:

(a) "small business" means a business entity that is:

(1) a natural person who is licensed by one or more state agencies or boards and whose claim under

this Act arises from such licensing, but said person shall not have a net worth of more than three hundred thousand dollars (\$300,000) at the time the civil action is filed;

(2) a sole proprietor of an unincorporated business that meets each of the following conditions:

(i) whose annual gross receipts do not exceed one million dollars (\$1,000,000) during the 12 months immediately preceding the date the civil action was filed; and

(ii) who does not employ more than fifteen (15) persons on a full time basis on the date the civil action was filed;

or

(3) a partnership or corporation that meets each of the following conditions:

(i) whose annual gross receipts do not exceed two million dollars (\$2,000,000) during the 12 months immediately preceding the date the civil action was filed; and

(ii) who does not employ more than thirty (30) persons on a full time basis on the date the civil action was filed.

(b) "state agency" means any entity of the state as defined in Tenn. Code Ann. Section 4-5-102(2).

(c) "fees and other expenses" means those reasonable attorney fees and expert witness fees as determined by the court plus reasonable expenses and court costs, but does not include any portion of an attorney's fees or salary paid by a unit of local, state, or federal government for the attorney's services in the case.

SECTION 4.

(a) Unless otherwise provided by law, the court having jurisdiction over the civil action brought by a state agency or over an action for judicial review brought pursuant to Tenn. Code Ann. Section 4-5-322, may award reasonable and actual fees and other expenses not to exceed ten thousand dollars (\$10,000) to the prevailing party unless the prevailing party is a state agency.

(b) The court may make an award pursuant to the terms of this Act only if the small business has demonstrated by a

preponderance of the evidence that the actions of the state agency were not supported by substantial evidence or were arbitrary and capricious or were brought in bad faith for the purpose of harassment. The Court may, in its discretion, decline to make an award if it finds that special circumstances exist that would make an award unjust.

(c) (1) In a civil action commenced by a state agency, a small business, in order to be eligible to make a claim for fees and other expenses under this Act, must file a claim with the court within thirty (30) days after final judgement has been rendered.

(2) In an action for judicial review brought in accordance with Tenn. Code Ann. Section 4-5-322, a small business must specifically state in the petition for review that it seeks fees and other expenses under this Act. Failure to state shall bar the small business from making any claim under this Act unless such a claim is filed subsequently with the Court in which event the small business shall be entitled to receive payment for fees or services actually rendered or expenses actually incurred after the notice of intent to make a claim is filed.

(3) All claims for fees and other expenses shall include, where applicable, an itemized statement for these fees including the actual time expended in representing a party and the rate at which the fees were computed as well as invoices or statements showing the actual amount of other expenses incurred.

(d) Awards provided for in this Act shall, upon order of the Court, be paid by the Department of Finance and Administration from the general fund, except in the case of awards in cases involving the Department of Transportation in which case the payment shall be made from the general highway fund.

(e) The Department of Finance and Administration shall report annually to the Speaker of the House of Representatives, the Speaker of the Senate and to the Chairmen of the House and Senate Finance, Ways and Means Committees the amount of fees and other expenses paid during the preceding fiscal year and shall describe the number, nature, and amount of the awards, the claims involved in the action, and other relevant information which might aid the General Assembly in evaluating the scope and impact of these awards.

SECTION 5. This Act shall not apply to:

(a) proceedings or actions involving the employment, discipline, or discharge of wages, hours and working conditions of state employees;

(b) proceedings or actions wherein the State, through any of its departments, institutions or agencies is exercising its power of condemnation or eminent domain;

(c) proceedings or actions involving the payment or collection of state revenue if the court determines

(1) that the small business taxpayer has not exhausted the administrative remedies available to taxpayers to resolve disputed tax matters, or

(2) that the small business taxpayer has acted in bad faith with regard to the state agency's attempts to ascertain tax liability or to collect a tax;

(3) any action taken by the Department of Revenue pursuant to Title 67, Chapter 1, Part 15, Tennessee Code Annotated; or

(d) actions by state agencies taken during the time of a civil emergency; or

(e) the proceedings or actions by a state agency required by a state or Federal law or federal regulation.

SECTION 6. If the Court finds that the small business' claim for fees and other expenses under this Act was made in bad faith or was frivolous or was made for the sole basis of harassment, the Court may impose a fine on the small business of not more than two thousand dollars (\$2,000) which will go to the state agency involved in the action.

SECTION 7. The provisions of this Act apply only to legal complaints or petitions for review filed after the effective date of this Act.

SECTION 8. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to that end the provisions of this Act are declared to be severable.

SECTION 9. This Act shall take effect on July 1, 1984, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 33, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representative present and not voting was: Shirley--1.

CONSENT CALENDAR

House Joint Resolution No. 306--Relative to congratulating Friendship Christian High School girls' basketball team.

House Joint Resolution No. 307--Relative to honoring Down Home Kitchen, Johnson City.

House Joint Resolution No. 313--Relative to congratulating Johnnie Jones.

House Joint Resolution No. 314--Relative to commending Richard and Emily Jorgensen.

House Bill No. 1423--To regulate purchasing, Murfreesboro.

House Bill No. 1492--To levy tax on lodgings, Van Buren County.

House Bill No. 1490--To amend Charter, Dunlap.

Senate Joint Resolution No. 155--Relative to congratulating Dana Kirk.

Senate Joint Resolution No. 156--Relative to congratulating Coach Jim Heinz.

Senate Joint Resolution No. 157--Relative to commending James C. Hudson, III.

Senate Joint Resolution No. 158--Relative to commending Representative Nathan F. Ford.

Senate Joint Resolution No. 159--Relative to congratulating 1983-1984 Memphis State Basketball team.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 122--Relative to naming center, "Julian R. Fleming Training Center."

The Speaker referred Senate Joint Resolution No. 122 to the Committee on Conservation and Environment.

Senate Joint Resolution No. 137--Relative to displaying bust, John Sevier, Capitol.

The Speaker referred Senate Joint Resolution No. 137 to the Committee on State and Local Government.

RULES SUSPENDED

Mr. Gill moved the Rule No. 43 be suspended in order that all bills filed by 4:00 p.m. tomorrow can be introduced and passed on first consideration, which motion prevailed.

Mr. Henry moved that the rules be suspended for the purpose of considering House Bill No. 1865 out of order, which motion prevailed.

House Bill No. 1865--To amend Charter, Kingston.

Mr. Henry moved the House Bill No. 1865 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

Ms. Turner (Hamilton) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 331 out of order, which motion prevailed.

House Joint Resolution No. 331--Relative to congratulating Brainerd High School girls' basketball team--By Turner (Hamilton), Starnes, Wood, Elsea, McAfee and Robinson (Hamilton).

Ms. Turner (Hamilton) moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 331, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Owen moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 332 out of order, which motion prevailed.

House Joint Resolution No. 332--Relative to recognizing Ronald McDonald House, Knoxville--By Owen, Scruggs, Smith, Drew and Miller.

Mr. Owen moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 332, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Davis (Gibson) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 328 out of order, which motion prevailed.

House Joint Resolution No. 328--Relative to commending Marti Robbins--By Davis (Gibson), Naifeh, Stallings, Herndon, Crain, Tanner, Dills, Kisber and Mr. Speaker McWherter.

Mr. Davis (Gibson) moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 328, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Murray moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 125 out of order, which motion prevailed.

Senate Joint Resolution No. 125--Relative to memory, Chester L. Fufts.

Mr. Murray moved that Senate Joint Resolution No. 125 be concurred in, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 91

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--91.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 100--Relative to commending Virginia Burdette--By Owen, Drew and Miller.

Under the rules, House Resolution No. 100 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 316--Relative to honoring Ralph Stout--By Percy and Whitson.

Under the rules, House Joint Resolution No. 316 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 317--Relative to continuing study committee, Mental Health--By Henry and Miller.

The Speaker referred House Joint Resolution No. 317 to the Committee on General Welfare.

House Joint Resolution No. 318--Relative to memory, Kenneth D. Smith--By Disspayne.

Under the rules, House Joint Resolution No. 318 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 319--Relative to naming portion of Route 29, "Bill Carter Causeway"--By Elsea, Robinson (Hamilton), Wood, McAfee, Copeland, Turner (Hamilton) and Starnes.

The Speaker referred House Joint Resolution No. 319 to the Committee on Transportation.

House Joint Resolution No. 320--Relative to honoring William Hobart Millsaps--By Starnes.

Under the rules, House Joint Resolution No. 320 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 321--Relative to congratulating East Ridge High School wrestling team--By Starnes.

Under the rules, House Joint Resolution No. 321 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 322--Relative to memory, Earl J. Platt--By Starnes.

Under the rules, House Joint Resolution No. 322 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 323--Relative to congratulating Skyview Academy Varsity Cheerleaders--By Gill.

Under the rules, House Joint Resolution No. 323 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 324--Relative to commending Parks and Recreation Department, Bristol--By Moore (Sullivan).

Under the rules, House Joint Resolution No. 324 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1965--To provide for guidance counselors, elementary schools--By Love.

Passed first consideration.

House Bill No. 1966--To regulate grievance procedures, civil service employees--By Love.

Passed first consideration.

House Bill No. 1967--To appropriate funds, African Affairs Institute, T.S.U.--By Love.

Passed first consideration.

House Bill No. 1968--To extend statute of limitations, certain civil actions--By Murphy.

Passed first consideration.

House Bill No. 1969--To remove term limitation, chairman, board of paroles--By Murphy.

Passed first consideration.

House Bill No. 1970--To set admission fees, certain bingo activities--By Murphy.

Passed first consideration.

House Bill No. 1971--To protect and conserve rare plants--By Owen, Cobb, Murphy, Kernell, Henry, Ellis, Montgomery, Disspayne, Byrd, Naifeh, Gaia and Moore (Sullivan).

Passed first consideration.

House Bill No. 1972--To make certain provisions, prescription of drugs--By Murphy.

Passed first consideration.

House Bill No. 1973--To provide for issuance of temporary beer licenses--By McKinney.

Passed first consideration.

House Bill No. 1974--To further define savings and loan association--By Bivens.

Passed first consideration.

House Bill No. 1975--To provide seizure, certain contraband property--By Wix, Jared and Davidson.

Passed first consideration.

House Bill No. 1976--To create watershed authority, Beaver Creek--By Kelley, Herndon and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 1977--To redistrict state trial court system--By Murphy, Brewer, Bragg, King (Washington), Clark (Davidson), Henry, Whitson, DePriest, Yelton, Moore (Sullivan), Kernell, Love, Work, Chiles, Wheeler, Cobb, Williams, Robertson, Buck, Disspayne, Ellis, Jared, Sir, Withers, Robinson (Davidson), Davis (Pickett), Gaia, Gafford, Owen, Covington, Hillis, Turner, Kent, Wix, DeBerry, Bell, Gill, Montgomery, Napier, McNally, Byrd, Huskey, Moore (Shelby), Clark (Sumner), Percy, Frensey, Dixon and King (Shelby).

Passed first consideration.

House Bill No. 1978--To provide for resolution, certain claims against state--By Robertson and Murphy.

Passed first consideration.

House Bill No. 1979--To enact Water Environmental Health Act--By Moore (Shelby) and Bragg.

WEDNESDAY, MARCH 21, 1984--50th LEGISLATIVE DAY

Passed first consideration.

House Bill No. 1980--To update charter, Lewisburg--By Sir.

Passed first consideration.

House Bill No. 1981--To provide tax on lodgings, Carter County
--By Percy, Whitson and King (Washington).

Passed first consideration.

House Bill No. 1982--To increase tax on lodgings, Henderson
County--By Kelley and Wallace.

Passed first consideration.

House Bill No. 1983--To make certain provisions, medicare and
medicaid--By Disspayne.

Passed first consideration.

House Bill No. 1984--To define kidnapping, certain children--By
Disspayne.

Passed first consideration.

House Bill No. 1985--To provide for hospital billing information
to patients--By Starnes, Naifeh and Crain.

Passed first consideration.

House Bill No. 1986--To levy wheel tax, Lawrence County--By
Gafford and DePriest.

Passed first consideration.

House Bill No. 1987--To provide support, high school students--By
Hudson and Cobb.

Passed first consideration.

House Bill No. 1988--To provide for revenue fluctuation account
--By Smith, McNally, Bragg and Henry.

Passed first consideration.

House Bill No. 1989--To delete tax credit, coin-operated
amusement devices--By Stafford, McNally and Henry.

Passed first consideration.

House Bill No. 1990--To amend Section 57-4-103, Code--By Frensley
and Chiles.

Passed first consideration.

House Bill No. 1991--To make certain provisions, small business concerns--By DeBerry, Johnson and Dixon.

Passed first consideration.

House Bill No. 1992--To provide for director of public instruction, county schools--By Cobb.

Passed first consideration.

House Bill No. 1993--To abolish office, county superintendent of schools--By Cobb.

Passed first consideration.

House Bill No. 1994--To make certain provisions, depositions--By Cobb.

Passed first consideration.

House Bill No. 1995--To amend Section 61-2-102, Code--By Cobb.

Passed first consideration.

House Bill No. 1996--To regulate interment, family burial grounds--By Clark (Davidson) and Covington.

Passed first consideration.

House Bill No. 1997--To amend Section 55-10-403, Code--By Clark (Davidson).

Passed first consideration.

House Bill No. 1998--To increase cost of living increase, retired employees--By Owen and Cobb.

Passed first consideration.

House Bill No. 1999--To make certain provisions, job training--By Rhinehart, Bivens, Jared, Hillis, Johnson and Davis (Pickett).

Passed first consideration.

House Bill No. 2000--To appropriate funds, agricultural services--By Rhinehart, Bivens, Hillis, Johnson, Jared and Davis (Pickett).

Passed first consideration.

House Bill No. 2001--To adjust compensation, certain members of highway patrol--By Rhinehart, Johnson, DeBerry, McNally, Severance, Davis (Gibson), Kent, Kisber, Owen, Jared, Bivens, Wheeler, Drew, Hillis, Harrill, Work, Covington, Wix, Huskey, Webb, Bewley, Naifeh, Gill, King (Shelby), McKinney, Whitson, Wallace, Starnes, Davis (Pickett), Brewer, Tanner, Davidson, Stallings, Duer, Miller and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 2002--To increase compensation, county election commission--By Miller.

Passed first consideration.

House Bill No. 2003--To change composition, certain boards--By McNally and Henry.

Passed first consideration.

House Bill No. 2004--To make certain provisions, utility districts--By Smith.

Passed first consideration.

House Bill No. 2005--To regulate production of oil and gas--By Smith and Atchley.

Passed first consideration.

House Bill No. 2006--To amend Section 8-22-104, Code--By Johnson.

Passed first consideration.

House Bill No. 2007--To make certain provisions, paternity cases--By Buck.

Passed first consideration.

House Bill No. 2008--To make certain provisions, cable television service--By Rhinehart, Owen, Davidson and Kisber.

Passed first consideration.

House Bill No. 2009--To make certain provisions, compulsory school attendance--By Wood, Drew and Wallace.

Passed first consideration.

House Bill No. 2010--To enact Coal Cooperative Marketing Association Law--By Wheeler.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1295--To regulate Board of Dentistry.

Passed first consideration.

Senate Bill No. 1359--To regulate curricula, certain educational institutions.

Passed first consideration.

Senate Bill No. 1375--To make certain provisions, inventory of estates.

Passed first consideration.

Senate Bill No. 1387--To provide student, membership, Board of Regents.

Passed first consideration.

Senate Bill No. 1397--To fix place where Supreme Court may sit.

Passed first consideration.

Senate Bill No. 1406--To regulate licensing, non-resident tobacco dealers.

Passed first consideration.

Senate Bill No. 1414--To prohibit carrying dangerous weapons, courtrooms.

Passed first consideration.

Senate Bill No. 1418--To make certain provisions, minutes of the court.

Passed first consideration.

Senate Bill No. 1422--To regulate certain garnishment proceedings.

Passed first consideration.

Senate Bill No. 1428--To regulate Energy Institute of the University of Tennessee Space Institute.

Passed first consideration.

Senate Bill No. 1444--To regulate selection of jurors.

Passed first consideration.

Senate Bill No. 1460--To require draft registration, enrollment, certain schools.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1894--To make certain provisions, county election commissions.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1895--To enact the "Buy American Act".

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1896--To make certain provisions, location of bingo games.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1897--To authorize nonresidents to act in fiduciary capacity.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1898--To make certain provisions, tax-exempt investments.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1899--To enact Racketeer Influenced and Corrupt Organization Act.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1900--To make certain provisions, unemployment benefits.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 1901--To make certain provisions, barber instructors.

WEDNESDAY, MARCH 21, 1984--50th LEGISLATIVE DAY

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1902--To allow judges certain alternatives, offense of DUI.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1903--To establish Department of Cultural and Natural Resources.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1904--To make certain provisions, use of force, law officers.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1905--To provide for proportional tax payments, certain businesses.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1906--To provide for reporting of certain violations, banking laws.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1907--To coordinate certain activities, law enforcement agencies.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1908--To regulate movement of mobile homes.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1909--To provide fund for medically indigent, Tipton County.

Passed second consideration and held without reference.

House Bill No. 1910--To regulate fur dealers.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1911--To define "Census" as used in Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1912--To charge interest on delinquent municipal property taxes.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1913--To provide for publication of municipal ordinances.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1914--To allow retirement credit, certain military service.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1915--To extend Employment Security Advisory Council.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1916--To extend Goodwyn Institute Commission.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1917--To extend Standards Committee.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1918--To extend National Guard Efficiency and Medical Examination Board.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1919--To extend U.T. Energy Institute, Board of Directors.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1920--To extend Department of Employment Security.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1921--To extend Defense Counsel Commission.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1922--To extend Industrial Development Division, Building Finance Committee.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1923--To extend Local Government Planning Advisory Committee.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1924--To extend Compact on Placement of Children.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1925--To extend Community Development Board.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1926--To extend Employment Security Board of Review.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1927--To terminate state advisory hospital committee.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1928--To terminate medical advisory committee for radiological health.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1929--To extend Industrial and Agricultural Development Commission.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1930--To extend Public Service Commission.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1931--To extend Southern Interstate Nuclear Board.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1932--To terminate environmental engineering project advisory board.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1933--To terminate board of trustees for tuberculosis control.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1934--To extend State Advisory Commission on Aging.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1935--To extend Board of Claims.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1936--To extend Department of Human Services.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1937--To terminate civil defense and disaster compact.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1938--To extend Civil Service Commission.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1939--To terminate poison control centers advisory committees.

WEDNESDAY, MARCH 21, 1984--50th LEGISLATIVE DAY

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1940--To create the laboratory advisory committee.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1941--To extend Department of Personnel.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1942--To extend Employment Security Appeals Tribunal.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1943--To extend State Election Commission.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1944--To extend Southern Growth Policies Board.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1945--To extend Medical Advisory Committee for Radiological Health.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1946--To extend Department of Finance and Administration.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1947--To terminate industrial development authority.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1948--To extend U. T. Board of Trustees.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1949--To extend human services advisory committees.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1950--To extend Southern Interstate Nuclear Compact.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1951--To extend Department of Economic and Community Development.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1952--To extend Child Welfare Licensing Board of Review.

Passed second consideration and referred to Committee on Government Operations.

House Bill No. 1953--To make certain provisions, financial institutions.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1954--To repeal Chapter 7, Public Acts, 1984.

Passed second consideration and referred to Committee on Education.

House Bill No. 1955--To provide for payroll deductions, certain employee dues.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1956--To require certain curricula, educational institutions.

Passed second consideration and referred to Committee on Education.

House Bill No. 1957--To decrease class membership, certain grades.

Passed second consideration and referred to Committee on Education.

House Bill No. 1958--To increase housing authority commissioners, certain cities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1959--To make certain provisions, Supreme Court.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1960--To authorize municipalities to rezone certain properties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1961--To provide for filling of vacancies, general assembly.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1962--To provide for County Service Officer, Scott County.

Passed second consideration and held without reference.

House Bill No. 1963--To prohibit living in certain establishments, Scott County.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1964--To regulate spacing of oil wells.

Passed second consideration and referred to Committee on Conservation and Environment.

REPORT OF STANDING COMMITTEES

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1394, 1428, 1437, 1455, 1500, 1509, 1576, 1652, 1672, 1677, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1827, 1830, 1851; and House Resolution No. 98.

MURRAY, Chairman.

Under the rules, House Bills Nos. 1394, 1428, 1437, 1455, 1500, 1509, 1576, 1652, 1672, 1677, 1804, 1805, 1806, 1807, 1808, 1809,

1810, 1811, 1827, 1830, 1851 and House Resolution No. 98 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills No. 1640, 1813, 1815, 1826, 1828, 1829 and 1846(with amendments).

HILLIS, Chairman.

Under the rules, House Bills Nos. 1640, 1813, 1815, 1826, 1828, 1829 and 1846(with amendments) were transmitted to the Committee on Calendar and Rules.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1579, 1834 and 1850.

WORK, Chairman.

Under the rules, House Bills Nos. 1579, 1834 and 1850 were transmitted to the Committee on Calendar and Rules.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1409, 1486(with amendments), 1488(with amendments), 1489, 1529, 1530, 1531(with amendments), 1586, 1617 (with amendments), 1619, 1641, 1675, 1740(with amendments), 1819 and 1856.

BRAGG, Chairman.

Under the rules, House Bills Nos. 1409, 1486, 1488, 1489, 1529, 1530, 1531, 1586, 1617, 1619, 1641, 1675, 1740, 1819 and 1856 were transmitted to the Committee on Calendar and Rules.

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1503, 1605, 1684, 1685, 1825 and 1849, and House Joint Resolution No. 263; and further recommend that pursuant to House Rule No. 70, House Bills Nos. 1503 and 1605 be referred to the Committee on Finance, Ways and Means.

STARNES, Chairman.

Under the rules, House Bills Nos. 1684, 1685, 1825 and 1849, and

House Joint Resolution No. 263 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 1503 and 1605 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1625, 1820, 1821 and 1835.

KING (Shelby), Chairman.

Under the rules, House Bills Nos. 1625, 1820, 1821 and 1835 were transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1381, 1451(with amendment), 1471, 1512, 1514(with amendment), 1616(with amendment), 1633, 1709, 1711(with amendment), 1781 and 1832.

MURPHY, Chairman.

Under the rules, House Bills Nos. 1381, 1451, 1471, 1512, 1514, 1616, 1633, 1709, 1711, 1781 and 1832 were transmitted to the Committee on Calendar and Rules.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1836, 1837 and 1838.

ELLIS, Chairman.

Under the rules, House Bills Nos. 1836, 1837 and 1838 were transmitted to the Committee on Calendar and Rules.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1388, 1405, 1406, 1452, 1465, 1475, 1508, 1516, 1517, 1518, 1569, 1572, 1590 and 1884; House Joint Resolutions Nos. 265, 272, 273, 288 and 297(with amendment).

MILLER, Chairman.

Under the rules, House Bills Nos. 1388, 1405, 1406, 1452, 1465, 1475, 1508, 1516, 1517, 1518, 1569, 1572, 1590 and 1884; House Joint

Resolutions Nos. 265, 272, 273, 288 and 297 were transmitted to the Committee on Calendar and Rules.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1375(with amendment), 1532, 1614, 1627(with amendment), 1676, 1678, 1858, 1860, 1861(with amendment), 1862, 1863(with amendment) and further recommend that pursuant to House Rule No. 70, House Bill No. 1375(with amendment) be referred to the Committee on Finance, Ways and Means.

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 1532, 1614, 1627, 1676, 1678, 1858, 1860, 1861, 1862 and 1863 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 1375(with amendment) to the Committee on Finance, Ways and Means.

BILLS WITHDRAWN

On motion of Ms. Hassell, House Bill No. 1546 was recalled from the Committee on Finance, Ways and Means.

On motion of Ms. Hassell, House Bill No. 1546 was withdrawn from the House.

On motion of Mr. Stafford, House Bill No. 1882 was recalled from the Committee on Commerce.

On motion of Mr. Stafford, House Bill No. 1882 was withdrawn from the House.

On motion of Mr. Crain, House Bill No. 1039 was recalled from the Committee on State and Local Government.

On motion of Mr. Crain, House Bill No. 1039 was withdrawn from the House.

On motion of Mr. Crain, House Bill No. 1416 was recalled from the Committee on Government Operations.

On motion of Mr. Crain, House Bill No. 1416 was withdrawn from the House.

BILL RE-REFERRED

On motion of Mr. Sir, House Bill No. 1474 was recalled from the Committee on General Welfare.

On motion of Mr. Sir, House Bill No. 1474 be referred to the Committee on Government Operations.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1375--Severance, Ellis, Kelley, McNally, Drew, Atchley, Miller, Owen, Harrill, Cobb, Davidson, Covington, Johnson, DePriest, McAfee, Elsea, Scruggs, Love

House Bill No. 1884--King (Washington)

House Joint Resolution No. 328--Wallace

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

315--Relative to joint convention, filling vacancy on state election commission; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 33, 1423, 1490, 1492 and 1865; and House Joint Resolutions Nos. 306, 307, 313, 314, 326, 328, 331 and 332; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1442 and 1909.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, March 22, 1984: House Resolution No. 100, House Joint Resolutions Nos. 316, 318, 320, 321, 322, 323 and 324, and House Bills Nos. 1442 and 1909.

GILL, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, March 22, 1984: House Bills Nos. 1164, 511, 1310, 1506, 1315, 1479, 1449, 126, 130, 144, 165, 166, 169, 176 and 1472.

GILL, Chairman.

Mr. Naifeh moved that the House recess for the purpose of meeting with the Senate in Joint Convention, and further moved that at the conclusion of the Joint Convention, the House adjourn until 9:00 a.m. tomorrow, which motion prevailed.

IN JOINT CONVENTION

The hour having arrived, set forth by House Joint Resolution No. 299--Relative to Joint Convention, State Historian, the Senate met with the House in Joint Convention.

The Joint Convention was called to order by Mr. President Wilder.

On motion of Mr. Hamilton, the roll call of the Senate was dispensed with.

On motion of Mr. Naifeh, the roll call of the House was dispensed with.

Thereupon, Mr. Clyde McCullough, Jr., Chief Clerk of the Senate, read House Joint Resolution No. 299 authorizing the Joint Convention.

Mr. President Wilder presented Representative Nathan Ford to introduce Mrs. Wilma Dykeman Stokely, State Historian.

Mrs. Wilma Dykeman Stokely addressed the Joint Convention.

Mr. Speaker McWherter expressed appreciation to Mrs. Dykeman.

The purpose for which the Joint Convention was called having been accomplished, Mr. President Wilder declared the Joint Convention dissolved.

IN JOINT CONVENTION

The hour having arrived, set forth by House Joint Resolution No. 315--Relative to election of member, State Election Commission.

The Joint Convention was called to order by Mr. President McWherter.

On motion of Mr. Hamilton, the roll call of the Senate was dispensed with.

On motion of Mr. Naifeh, the roll call of the House was dispensed with.

Thereupon, the Clerk of the Senate read House Joint Resolution No. 315 authorizing the Joint Convention.

Mr. President McWherter stated that the first order of business was the election of a member to fill a vacancy on the State Election Commission, and declared that nominations for the member was in order.

Representative Moore (Shelby) placed in nomination the name of the Honorable Charles A. Ashford of Shelby County.

Representative Copeland seconded the nomination of Mr. Ashford.

Senator Garland moved that nominations cease and that the Clerks be directed to call the roll, which motion prevailed.

The Clerk of the Senate called the roll of the Senate with the following result:

For Mr. Ashford 19

The Clerk of the House called the roll of the House with the following result:

For Mr. Ashford 89

Representatives voting for Mr. Ashford were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Total Vote for Mr. Ashford. 108

Thereupon, Mr. President McWherter declared the Honorable Charles A. Ashford duly, legally and constitutionally elected to the State Election Commission for the ensuing three years, as prescribed by law.

The purpose for which the Joint Convention called having been accomplished, Mr. President McWherter declared the Joint Convention dissolved.

The Senate repaired to the Senate Chamber.

The House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

Pursuant to Representative Naifeh's earlier motion, Mr. Speaker McWherter declared the House adjourned until 9:00 a.m. tomorrow.